


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY 
05 NOV 22 PM 3:20
JAMES M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. JACKSON

REELFOOT BANK

Plaintiff

VS.

CIVIL ACTION NO.: 1-05-1133-T

UNITED STATES DEPARTMENT OF
AGRICULTURE

Defendant

**RULE 16(b) SCHEDULING ORDER AND
BRIEFING SCHEDULE**

As manifested by the signatures of counsel of record, R. Spencer Clift, III for Reelfoot Bank and Assistant United States Attorney Jimmy L. Croom for the United States Department of Agriculture ("USDA"), the following schedule shall govern this proceeding pursuant to Rule 16(b) of the Federal Rules of Civil Procedure. Since the instant proceeding involves judicial review of the rulings by the National Appeals Division, pursuant to the Administrative Procedures Act, the Court authorizes the modifications herein to its Model Scheduling Order.

In this case, Reelfoot Bank seeks judicial review of the rulings by the National Appeals Division relating to the enforcement of the Agency's payment of a Loan Note Guarantee. This Court will base its decision on a review of the administrative record and application of the law to the issues raised by the parties in the case. *See* 5 U.S.C. § 706(2) (E)-(F). Accordingly, the Certified Administrative Record was filed with the Court on November 1, 2005.

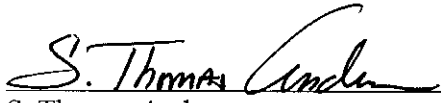
The parties have agreed to the briefing schedule set forth in this order, which will allow the parties to present their positions to the Court for this judicial review.

The parties have agreed to the following schedule which is hereby approved by the Court:

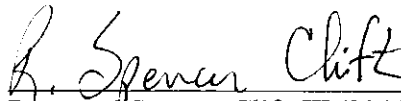
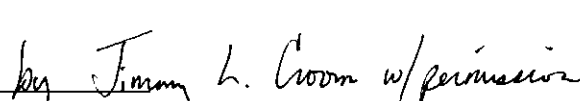
Reelfoot Bank will file its brief and and serve it by February 3, 2006;

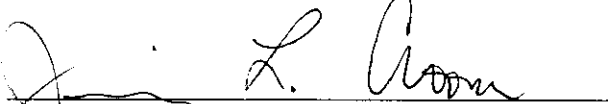
USDA will file its brief and serve it by March, 20, 2006.

SO ORDERED, this the 21st day of November, 2005.


S. Thomas Anderson
UNITED STATES MAGISTRATE JUDGE

APPROVED AND AGREED:

 by  w/permission
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Notice of Distribution

This notice confirms a copy of the document docketed as number 17 in case 1:05-CV-01133 was distributed by fax, mail, or direct printing on November 22, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT